

Attachment B

July 3, 2003

Mr. John Doe
Village of Anywhere
1234 Knox Road
Anywhere, NE 69000

Re: Village of Anywhere- NE3100000- Unregistered Water Wells

Dear Mr. Doe:

Through a review of HHSS-R&L records for the Village of Anywhere, it has been discovered that your wells #001 and #002 that are used to supply water for human/public consumption are not registered with the Nebraska Department of Natural Resources as required by state law. According to the Department of Natural Resources Statute §46-602, wells that are not registered are illegal.

Specifically, Neb. Rev. Stat. §46-602 states, "Except for water wells which are used solely for domestic purposes and were constructed before September 9, 1993, and for test holes and dewatering wells used for less than ninety days, each water well which was completed in this state before July 1, 2001, and which is not registered on that date shall be an illegal water well until it is registered with the Department of Natural Resources."

Registered public water system wells serving a city, a village, a municipal corporation, a metropolitan utilities district, a rural water district, a natural resources district, an irrigation district, a reclamation district, or a sanitary and improvement district are afforded spacing protection under state law (Neb. Rev. Stat. §46-638). This is an important legal tool with respect to water quality and quantity. The current dry cycle has clearly pointed out the importance of spacing protection as the competition for ground water has greatly increased over the past several years.

Equally important is that under the Nebraska Safe Drinking Water Regulations, public water system owners are to activate all existing legal tools to protect their sources of drinking water from encroachments which are "likely hazards to the safety of the drinking water quality, or which could have a substantial impact on the system pressure or economies delivered by the system". (Title 179 NAC 2-008.02F)

The result of public water wells not being registered goes beyond the fact of being labeled as "illegal." Unregistered public water wells also run the risk of being identified as being vulnerable to encroachments (contamination) and subject to increased costly monitoring requirements.

I hope that enough good reasons have been stated above to encourage you to get your public water wells registered with the Department of Natural Resources as soon as possible as required by state law. Registration is an important tool in protecting public health and the system's infrastructure investment.

The Department of Natural Resources will inform us of your well registration status on a regular basis until such time as the wells are registered or it is clear that other action is necessary to assure compliance with state law.

To assist you in this matter, enclosed you will find a well registration form for each of your existing unregistered public water system wells.

Given the information requested on the enclosed well registration form, you may need to contact your local licensed well driller/pump installer or the Department of Natural Resources at 402/471-0576 in order to provide you with the well information requested.

Thank you in advance for your prompt attention regarding this important matter.

Sincerely,
Jack L. Daniel, Administrator
Environmental Health Services Section
Department of Health and Human Services
Regulation and Licensure
JLD/jem

xc: Susan France, NDNR
Doug Woodbeck, HHS-R&L